



MORRISON & FOERSTER LLP

Attorneys at Law
 755 Page Mill Road
 Palo Alto, California 94304-1018
 Telephone: (650) 813-5600
 Facsimile: (650) 494-0792

To:

| NAME: | FACSIMILE: | TELEPHONE: |
|---|----------------|----------------|
| MS Missing Parts United States Patent and Trademark Office | (703) 746-4060 | (703) 308-1202 |

FROM: Alan S. Hodes**DATE:** August 16, 2004

Number of pages with cover page: 9

Preparer of this slip has confirmed that facsimile number given is correct: 10613/msb5**CAUTION - CONFIDENTIAL**

This facsimile contains confidential information which may also be privileged. Unless you are the addressee (or authorized to receive for the addressee), you may not copy, use, or distribute it. If you have received it in error, please advise Morrison & Foerster LLP immediately by telephone or facsimile and return it promptly by mail.

Comments:

Comments: RESPONSE TO MISSING PARTS

DOCKET NO.: 275412002000
 GROUP ART UNIT: 2872
 EXAMINER: Not Yet Assigned
 SERIAL NO.: 10/769,567
 FILING DATE: January 30, 2004
 INVENTOR(S): Noriaki FUJII
 TITLE: OPTICAL PICK-UP APPARATUS

Papers attached:

1. Transmittal (1 page)
2. Fee Transmittal w/duplicate copy for fee processing (2 pages)
3. Notice to File Missing Parts, Part 2 (2 pages)
4. Declaration and Power of Attorney, Japanese (3 pages)

RECEIVED
 AUG 17 2004
 OIPE / JCWS

pa-911487



PTO/SB/21 (02-04) Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

| | | | |
|--|---|------------------------|------------------|
| | | Application Number | 10/769,567 |
| | | Filing Date | January 30, 2004 |
| | | First Named Inventor | Noriaki FUJII |
| | | Art Unit | 2872 |
| | | Examiner Name | Not Yet Assigned |
| Total Number of Pages in This Submission | 8 | Attorney Docket Number | 275412002000 |

ENCLOSURES (Check all that apply)

| | | |
|---|---|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form + duplicate for fee processing (2 pages) | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> After Allowance communication to Technology Center (TC) |
| <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input type="checkbox"/> Amendment/Reply | <input type="checkbox"/> Petition | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Terminal Disclaimer | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Request for Refund | 1. Notice to File Missing Parts, part 2 (2 pages) 2. Declaration and Power of Attorney, Japanese (3 pages) 3. Fax cover sheet |
| <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> CD, Number of CD(s) | |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | | |
| <input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application | <input type="checkbox"/> Remarks | |
| <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | |
|-------------------------|--|
| Firm or individual name | MORRISON & FOERSTER LLP (Customer No. 25226) Alan S. Hodes 38,185 |
| Signature | |
| Date | August 16, 2004 |

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. (703) 746-4060, on the date shown below.

Dated: August 16, 2004

Signature: (Michelle Boothby)

pa-911030

PTO/SB/17 (10-03)

Approved for use through 7/31/2008. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 130.00)

| Complete If Known | |
|----------------------|------------------|
| Application Number | 10/769,567 |
| Filing Date | January 30, 2004 |
| First Named Inventor | Noriaki FUJII |
| Examiner Name | Not Yet Assigned |
| Art Unit | 2872 |
| Attorney Docket No. | 275412002000 |

METHOD OF PAYMENT (Check all that apply)

 Check Credit Card Money Order Other None
 Deposit Account:
Deposit Account Number **03-1952**Deposit Account Name **Morrison & Foerster LLP**

The Director is authorized to: (check all that apply)

- Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) or any underpayment of fee(s)
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity | Small Entity | Fee Description | Fee Paid |
|-------------------|---------------|------------------------|----------|
| Fee Code (\$) | Fee Code (\$) | | |
| 1001 770 | 2001 355 | Utility filing fee | |
| 1002 340 | 2002 170 | Design filing fee | |
| 1003 530 | 2003 265 | Plant filing fee | |
| 1004 770 | 2004 385 | Release filing fee | |
| 1005 180 | 2005 80 | Provisional filing fee | |
| SUBTOTAL (1) (\$) | | 0.00 | |

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| Total Claims | -20 = | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------|--------------|----------------|----------|
| Independent Claims | 2 -3 = | 0 | 18.00 | 0.00 |
| Multiple Dependent | | 0 | 88.00 | 0.00 |
| | | | 280.00 | 0.00 |

| Large Entity | Small Entity | Fee Description |
|-------------------|---------------|--|
| Fee Code (\$) | Fee Code (\$) | |
| 1202 18 | 2202 9 | Claims in excess of 20 |
| 1201 88 | 2201 43 | Independent claims in excess of 3 |
| 1203 280 | 2203 148 | Multiple dependent claim, if not paid |
| 1204 88 | 2204 43 | ** Reissue independent claims over original patent |
| 1205 18 | 2205 9 | ** Reissue claims in excess of 20 and over original patent |
| SUBTOTAL (2) (\$) | | 0.00 |

** or number previously paid, if greater. For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

| Large Entity | Small Entity | Fee Description | Fee Paid |
|----------------------------------|---------------|--|----------|
| Fee Code (\$) | Fee Code (\$) | | |
| 1051 130 | 2051 65 | Surcharge - late filing fee or oath | 130.00 |
| 1052 80 | 2052 25 | Surcharge - late provisional filing fee or cover sheet | |
| 1053 130 | 1053 130 | Non-English specification | |
| 1812 2,520 | 1812 2,520 | For filing a request for ex parte reexamination | |
| 1804 920* | 1804 820* | Requesting publication of SIR prior to Examiner action | |
| 1805 1,840* | 1805 1,840* | Requesting publication of SIR after Examiner action | |
| 1251 110 | 2251 55 | Extension for reply within first month | |
| 1252 420 | 2252 210 | Extension for reply within second month | |
| 1253 950 | 2253 478 | Extension for reply within third month | |
| 1254 1,480 | 2254 740 | Extension for reply within fourth month | |
| 1255 2,010 | 2255 1,005 | Extension for reply within fifth month | |
| 1401 330 | 2401 165 | Notice of Appeal | |
| 1402 330 | 2402 165 | Filing a brief in support of an appeal | |
| 1403 290 | 2403 145 | Request for oral hearing | |
| 1451 1,510 | 1451 1,510 | Petition to Institute a public use proceeding | |
| 1452 110 | 2452 55 | Petition to revive - unavoidable | |
| 1453 1,330 | 2453 685 | Petition to revive - unintentional | |
| 1501 1,330 | 2501 685 | Utility issue fee (or release) | |
| 1502 480 | 2502 240 | Design issue fee | |
| 1503 840 | 2503 320 | Plant issue fee | |
| 1460 130 | 1460 130 | Petitions to the Commissioner | |
| 1807 50 | 1807 50 | Processing fee under 37 CFR 1.17(q) | |
| 1808 180 | 1808 180 | Submission of Information Disclosure Stmt | |
| 8021 40 | 8021 40 | Recording each patent assignment per property (times number of properties) | |
| 1808 770 | 2809 385 | Filing a submission after final rejection (37 CFR 1.129(a)) | |
| 1910 770 | 2810 385 | For each additional invention to be examined (37 CFR 1.129(b)) | |
| 1801 770 | 2801 385 | Request for Continued Examination (RCE) | |
| 1802 900 | 1802 900 | Request for expedited examination of a design application | |
| Other fee (specify) | | | |
| Reduced by Basic Filing Fee Paid | | SUBTOTAL (3) (\$) | 130.00 |

| (Complete if applicable) | | | |
|--------------------------|---|-----------------------------------|-----------------|
| Name (Print/Type) | Alan S. Hodes | Registration No. (Attorney/Agent) | 38,185 |
| Signature |  | Telephone | (650) 813-5622 |
| | | Date | August 16, 2004 |

pa-911029



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/769,567 | 01/30/2004 | Noriaki Fujii | 275412002000 |

25226
 MORRISON & FOERSTER LLP
 755 PAGE MILL RD
 PALO ALTO, CA 94304-1018

CONFIRMATION NO. 8530

FORMALITIES LETTER



"OC000000012959312"

Date Mailed: 06/16/2004



NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$130 for a Large Entity

- \$130 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

10769567

031952

 08/17/2004 KETEMA1 00000046
 01 FC:1051 130.00 DA

A copy of this notice MUST be returned with the reply.

08/16/2004 15:25 FAX

005/008

Page 2 of 2

Lily
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE